

321 CMR: DIVISION OF FISHERIES AND WILDLIFE.

321 CMR 2.00: MISCELLANEOUS REGULATIONS RELATING TO FISHERIES AND WILDLIFE.

2.03: Possession and Use of Shotgun Shells Loaded with Lettered Birdshot. B, BB, and BBB Shot.

In accordance with the authority found in M.G.L. c. 131, §§ 5 and 66, as amended by c. 193, St. 1988, rules and regulations relative to the possession of shotgun shells loaded with **lettered birdshot** B, BB, and BBB shot are hereby adopted.

(1) Definitions:

~~B Shot means that size of shotgun shot which has a pellet diameter of .170 inches in the American standard.~~

~~BB Shot means that size of shotgun shot which has a pellet diameter of .180 inches in the American standard.~~

~~BBB Shot means that size of shotgun shot which has a pellet diameter of .190 inches in the American standard.~~

Birdshot means those sizes of shotgun shot which have a pellet diameter equal to or less than 0.160 inches in the American standard.

Buckshot means that **those** sizes of shotgun shot which **have** a pellet diameter equal to or greater than ~~0.200~~ **0.240** inches in the American standard, **but excluding a single ball or slug.** and shall include, but not be restricted to T, TT, F and FF shot, so-called.

Coot means the coot or American coot (*Fulica americana*).

Lettered Birdshot means those sizes of shotgun shot which have a pellet diameter not less than 0.170 inches and not greater than 0.230 inches in the American standard, and shall include B, BB, BBB, T, TT, F and FF shot, so-called.

Non-Toxic Shot means steel shot or such other non-toxic shot as shall be approved by the United States Fish and Wildlife Service as an acceptable non-toxic alternative to lead shot.

Shotgun Shell means a cartridge or round of ammunition consisting of primer, case, propellant (powder) and projectile (one or more shot, balls, or slugs) designed to be fired from a shotgun.

Shotgun shell loaded with shot means loose shot carried in a shot pouch or similar container, or which is carried on the person and could readily be so loaded, as well as shot which has been loaded in a shotgun shell or in the barrel of a primitive firearm.

Waterfowl means migratory game birds of the family Anatidae (ducks, mergansers, geese, and brant).

(2) **Persons licensed to hunt in Massachusetts, or persons lawfully hunting without a license, may possess and use birdshot for hunting for those birds and mammals and during those seasons when hunting with a shotgun is otherwise lawful.** ~~Persons licensed to hunt in Massachusetts, or persons lawfully hunting without a license, and carrying a valid Federal Migratory Bird Hunting and Conservation Stamp if age 16 years or over and a valid Massachusetts Waterfowl Stamp if age 15 years and over, may use and possess for the purposes of hunting waterfowl, or coot,~~ **fox, or coyote,** ~~shotgun shells loaded with non-toxic B, BB, and BBB shot~~ **birdshot or lettered birdshot** ~~during the annual open seasons for waterfowl and coot as provided in 321 CMR 3.02(2), or the annual open seasons for fox and coyote as provided in 321 CMR 3.02(3), provided that only non-toxic shot may be used or possessed for the hunting of waterfowl and coot.~~ Nothing in 321 CMR 2.03(2) shall be construed to allow the use of shotgun shells loaded with B, BB, ~~or BBB shot or~~ **birdshot, lettered birdshot,** buckshot, slugs, or single balls of any size during those seasons or at those times or in those places where hunting by means of a shotgun is otherwise disallowed.

(3) ~~Possession of shotgun shells loaded with lead or lead-based B, BB, or BBB shot or with buckshot, slugs, or single balls, regardless of metallic composition shall be subject to the provisions of M.G.L. c. 131, § 66, and shall not be possessed in any place where birds and mammals may be found, except during the period when deer may be hunted lawfully by means of a shotgun as provided in 321 CMR 3.02(4)(b)3.~~ **Notwithstanding the foregoing,** ~~shotgun shells loaded with B, BB, BBB shot, buckshot, slugs, or single balls, regardless of metallic composition may be possessed on a skeet, trap, or target range between sunrise and sunset, when otherwise lawful.~~

Regulatory Authority: M.G.L. c. 131, §§ **5 and** 66.

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